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September 13, 2023

To: Hon. Leslie O. Foschio
United States District Court Judge
Robert H. Jackson United States Courthouse
2 Niagara Square
Buffalo, New York 14202

Re: Request for Extension to Respond in Opposition (September 20, 2023)

Index No. 1:23-cv-00406-EAW-LGF; 1:23-cv-00557-JLS

PLEASE TAKE NOTICE that upon the affirmation of Nathan McMurray, Esq., who is an attorney admitted to practice in the State of New York, respectfully moves this Honorable Court for an order extending the time to respond in opposition to the motion to seal.

Dear Judge Foschio:

I am writing to respectfully request an extension of time to respond to the Motion to File Under Seal submitted by the opposing party in the above-mentioned case. I understand the importance of adhering to court deadlines and would like to explain the circumstances leading to this request.

On September 12, 2023 (yesterday), we received the opposing party's motion in our office in New York. It was first emailed electronically; however, I encountered technical difficulties when attempting to open the attached file. Recognizing the urgency of the matter, I attempted to contact opposing counsel, by phone and subsequently via email to request their agreement to extension. Regrettably, my efforts to reach them have been unsuccessful as of the time of writing this letter. I understand the time-sensitive nature of this issue and the Court's expectations regarding a timely response. Therefore, I humbly request an extension of time until Wednesday, the 20th, to file our response.

We are not seeking a significant extension, as we recognize the importance of maintaining the court's schedule. However, the shortened reply time has created an exceptional circumstance that necessitates this request for a brief extension. I apologize for the delayed filing of this letter, as our initial attempt was to seek consultation with opposing counsel to resolve this matter

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expeditiously. I am committed to ensuring that the court receives our response in a timely and professional manner, and I believe that this extension will allow us to meet that commitment. I appreciate your consideration of this request and hope for your understanding of the challenges we have faced in this matter. Thank you for your attention to this request. I look forward to your guidance in this matter.

Sincerely,

Nate McMurray

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